

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1100-01
Bill No.: HB 421
Subject: Alcohol; Liability
Type: Original
Date: January 25, 2001

FISCAL SUMMARY

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> State Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
Local Government	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

This fiscal note contains 3 pages.

FISCAL ANALYSIS

ASSUMPTION

Officials of the **Office of Prosecution Services**, and the **Office of the State Public Defender** each assume this proposal would not fiscally impact their respective agencies.

In response to similar legislation from this year, officials of the **Office of the State Courts Administrator** assumed this proposal would not fiscally impact their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Small businesses that sell intoxicating beverages by the drink would, seemingly be asserted a level of protection from liability with this proposal.

DESCRIPTION

Under current law, persons licensed to sell intoxicating beverages cannot be held liable for injuries to others inflicted by persons who purchase those intoxicating beverages unless the person licensed to sell intoxicating beverages is first convicted of selling them to a person under age 21 or to an obviously intoxicated person. The Missouri Supreme Court ruled that these exceptions were unconstitutional. This proposal deletes those exceptions. The proposal also clarifies that social hosts who serve or furnish intoxicating beverages to persons who may legally consume them cannot be held liable for injuries to others off the social hosts' premises inflicted by the persons to whom the intoxicating beverages were served or furnished.

DESCRIPTION (continued)

RAS:LR:OD (12/00)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Public Defender

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is stylized with a large initial "J" and a cursive "Jarrett".

Jeanne Jarrett, CPA
Director
January 25, 2001